

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Tomoharu Tanaka et al.**

Serial No.: 10/656,139

Filed: September 8, 2003

For: Non-Volatile Semiconductor Memory  
Device Adapted To Store A Multi-Valued  
Data In A Single Memory Cell

Confirmation No. 8661

Examiner: LE, Vu Anh

Group Art Unit: 2824

Atty. Dkt. No. 001701.00676

**FAX RECEIVED**

FEB 10 2005

**OFFICE OF PETITIONS****PETITION TO WITHDRAWAL FROM ISSUE**  
**UNDER 37 C.F.R. 1.313(c)3****Mail Stop 313(c)**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450Attention: Karen Creasey  
Via Facsimile  
571-273-0025

Sir:

Applicants request the above-identified application be withdrawn from issue under 37 C.F.R. 1.313(c)3 for entry of the RCE, Amendment and Information Disclosure Statement filed herewith. Applicants found a new Japanese Publication No. 3414587 and wishes to have the Japanese Publication considered in the present application.

Please debit our deposit account no. 19-0733 for the Petition Fee of \$130 in accordance with Rule 1.17(h). If there are any other fees associated with this petition, please debit our deposit account no. 19-0733 accordingly.

If there are any questions, please contact the undersigned.

02/15/2005 AKELLEY 00000004 190733 10656139

01 FC:1464 130.00 DA

Respectfully submitted,

By: Joseph M. Potenza  
Registration No. 28,175

3 #38.800

Banner & Witcoff, Ltd.  
1001 G Street, N.W.  
Washington, D. C. 20001-4597  
(202) 824-3000Dated: February 10, 2005

863321\_1



**BANNER & WITCOFF, LTD.**  
INTELLECTUAL PROPERTY LAW

1001 G STREET, N.W.  
WASHINGTON, D.C. 20001-4597

TEL: 202.824.3000  
FAX: 202.824.3001  
www.bannerwitcoff.com

---

**FACSIMILE TRANSMITTAL SHEET**

---

<b>TO:</b> Karen Creasey , Mail Stop 313(c)	<b>FROM:</b> Christopher R. Glembocki/CMP
<b>COMPANY:</b> U.S. Patent and Trademark Office	<b>DATE:</b> February 10, 2005
<b>FAX NO.:</b> 1571-273-0025	<b>TOTAL NO. OF PAGES:</b> (including cover sheet) 32
<b>YOUR REFERENCE NO.:</b> U.S. Serial No. 10/656,139	<b>OUR REFERENCE (C/M) NO.:</b> Attorney Docket No. 001701.00676
<b>RE:</b> Filing Via Facsimile:	

*If you do not receive all page(s) or have any problems receiving this transmission, please call:*

<b>NAME:</b> Charissa M. Pittman	<b>PHONE:</b> 1-571-273-0025
-------------------------------------	---------------------------------

---

**COMMENTS:****FAX RECEIVED**

FEB 10 2005

**OFFICE OF PETITIONS**

I, Charissa M. Pittman certify that I have filed via facsimile transmission the following documents

- 1.) Petition to Withdraw From Issue;
- 2.) Request for Continued Examination;
- 3.) Amendment;
- 4.) Information Disclosure Statement; and
- 5.) PTO/SB/08 with Japanese Publication and Abstract

**Important/Confidential:** This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Certificate of Transmission under 37 CFR 1.8**

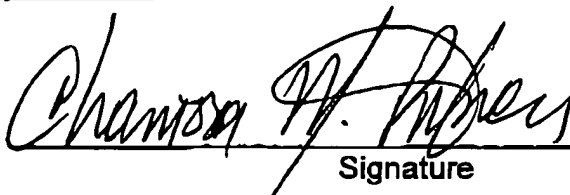
I hereby certify that this correspondence is being facsimile  
transmitted to the Patent and Trademark Office

on February 10, 2005.

Date

**FAX RECEIVED**

FEB 10 2005

**OFFICE OF PETITIONS**

Signature

Charissa M. Pittman

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this  
certificate must identify each submitted paper.

USSN: 10/656,139

Filed: September 8, 2003

Entitled: Non-Volatile Semiconductor Memory Device Adapted To Store A  
Multi-Valued Data In A Single Memory Cell

Inventors: Tomoharu Tanaka et al.

Examiner: LE, Vu Anh

Group Art Unit: 2824

Atty Docket No. 001701.00676

COMMUNICATION REGARDING 1.) Petition to Withdraw From Issue; 2.)  
Request for Continued Examination; 3.) Amendment; 4.) Information  
Disclosure Statement; and 5.) PTO/SB/08 with Japanese Publication and  
Abstract

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any  
comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office,  
Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents,  
Washington, DC 20231.